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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,683	10/05/2001	Shinichi Momonami	1247-0466P	1858
2292	7590	09/08/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			BURLESON, MICHAEL L	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/970,683

Applicant(s)

MOMONAMI ET AL.

Examiner

Michael Burleson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/23/04, 10/26/01 & 10/05/01</u> | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Information Disclosure Statement

1. The information disclosure statement (IDS) was submitted on 06/23/04, 10/05/01 and 10/26/01. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi Tetsuji JP 11-008712.
3. Regarding claim 1, Tetsuji teaches of a facsimile apparatus (F) (paragraph 0016), which reads on a facsimile apparatus. Tetsuji teaches of a table that contains the address and telephone number (paragraph 0025), which reads on a first table for

storing a facsimile number of a destination of call. He teaches of a table that contains sub address and password (paragraph 0025), which reads on a second table for storing items of additional information to be transmitted to the destination. Tetsuji teaches of a control unit (8) that chooses a telephone number and a sub address (paragraph 0021), which reads on selecting means for separately selecting the destination and the items of the additional information from the first table and the second table. Tetsuji teaches of a NCU (2) that dials the telephone number and sub address is sent out (paragraph 0021), which reads on controlling means for controlling so that, when the destination and the items of the additional information are selected, a call out is made by combining the facsimile number of the selected destination and the items of the additional information.

4. Regarding claim 2, Tetsuji teaches of a table that contains sub address and password (paragraph 0025), which reads on the items of the additional information include at least one of a sub address signal, a password signal and a selective polling signal.

5. Regarding claim 3, Tetsuji teaches that the sub address and password is memorized to F-code (paragraph 0026), which reads on the SUB signal, PWD signal and the SEP signal are corresponding to signals with functions of F-code specified by CIAJ or functions equivalent thereto.

6. Regarding claim 4, Tetsuji teaches that the name, sub address and password are displayed on display (7) (paragraph 0033), which reads on facsimile numbers and names of destinations of the other end are stored in the first table, information items defining characteristics of the items of the additional information are stored in the

second table and that displaying means for displaying the facsimile number or the name of the destination, and the information items defining the characteristics of the items of the additional information during the selection.

7. Regarding claim 6, Tetsuji teaches of a confidential function that transmits data only to those who have the personal identification number (paragraph 0020), which reads on all or part of contents of the second table are made secret and after a user is identified as being allowed to use the contents of the second table, the contents are disclosed.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi Tetsuji JP 11-008712 in view Nobuta US 5153744.

10. Regarding claim 5, Tetsuji teaches of a facsimile apparatus (F) (paragraph 0016), which reads on a facsimile apparatus. Tetsuji teaches of a table that contains the address and telephone number (paragraph 0025), which reads on a first table for storing a facsimile number of a destination of call. He teaches of a table that contains sub address and password (paragraph 0025), which reads on a second table for storing items of additional information to be transmitted to the destination. Tetsuji teaches of a

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control unit (8) that chooses a telephone number and a sub address (paragraph 0021), which reads on selecting means for separately selecting the destination and the items of the additional information from the first table and the second table. Tetsuji teaches of a NCU (2) that dials the telephone number and sub address is sent out (paragraph 0021), which reads on controlling means for controlling so that, when the destination and the items of the additional information are selected, a call out is made by combining the facsimile number of the selected destination and the items of the additional information.

11. Tetsuji fails to teach of a function for making a call out by using contents of the first or second table can be canceled and reset.

12. Nobuta teaches of a step of terminating the reception of the execution table and then updates the job flag of the execution table (figure 11b), this reads on a function for making a call out by using contents of the first or second table can be canceled and reset.

The facsimile apparatus (f) of Tetsuji could have been modified with a termination and updating step of Nobuta. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to resend a facsimile message if a correction or additional information needs to be added.

13. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi Tetsuji JP 11-008712 in view Otsuka et al. US 6700674.

14. Regarding claim 7, Tetsuji teaches of a facsimile apparatus (F) (paragraph 0016), which reads on a facsimile apparatus. Tetsuji teaches of a table that contains the address and telephone number (paragraph 0025), which reads on a first table for storing a facsimile number of a destination of call. He teaches of a table that contains sub address and password (paragraph 0025), which reads on a second table for storing items of additional information to be transmitted to the destination. Tetsuji teaches of a control unit (8) that chooses a telephone number and a sub address (paragraph 0021), which reads on selecting means for separately selecting the destination and the items of the additional information from the first table and the second table. Tetsuji teaches of a NCU (2) that dials the telephone number and sub address is sent out (paragraph 0021), which reads on controlling means for controlling so that, when the destination and the items of the additional information are selected, a call out is made by combining the facsimile number of the selected destination and the items of the additional information.

15. Tetsuji fails to teach of items of information designating a destination are stored in the second table and when displaying contents of the second table, items of additional information in the second table corresponding to a facsimile number or name of a destination selected from the first table are displayed with priority.

16. Otsuka et al. teaches priority is established between routes of communication (column 12, lines 15-67), which reads on items of information designating a destination are stored in the second table and when displaying contents of the second table, items of additional information in the second table corresponding to a facsimile number or name of a destination selected from the first table are displayed with priority.

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The facsimile apparatus (f) of Tetsuji could have been modified with priority process of Otsuka et al. This modification would have been obvious to one of ordinary skill in the art at the time of the invention in order to send a particular facsimile message with importance over another.

Conclusion

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at (571) 272-7471

Michael Burleson
Patent Examiner
Art Unit 2626



MIb
September 5, 2005



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER